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July 3, 2019

By ECF

The Honorable Lewis A. Kaplan
United States District Court
for the Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10017

Re: *In re Bank of New York Mellon Corp. Forex Transactions Litigation*, No. 1:12-md-02335

Dear Judge Kaplan,

It has recently come to this Firm's attention that there is an error in the Declaration in Support of Motion for Attorneys' Fees and Reimbursement of Expenses Filed on Behalf of Thornton Law Firm LLP (Dkt. 622-8) in the above-referenced case. Although the Declaration was submitted nearly four years ago, and the case has since been closed, we write to the Court now to correct the error and in the interest of transparency and candor.

Specifically, paragraph nine of the Declaration states that "The hourly rates charged by the Timekeepers are the Firm's regular rates for contingent cases and those generally charged to clients for their services in non-contingent/hourly matters." The Thornton Law Firm, a plaintiffs' side firm which relies on contingency fees, does not have hourly paying clients. Therefore, the firm does not charge rates to clients in non-contingent or hourly matters and does not discount such rates. The reference in paragraph eleven to "billing rates" is not intended to refer to rates charged to paying, hourly clients. At the time this Declaration was filed, the Thornton Law Firm did not have "regular rates" for contingent cases because this was one of the first cases the Thornton Law Firm was involved in where a lodestar was submitted to the court. The rates listed were commensurate with lead counsel's rates, taking into account the experience of counsel and staff and the Firm's history working on standing instruction foreign exchange litigation.

The errors in the Declaration were introduced because the Thornton Law Firm utilized a template provided by lead counsel and did not appropriately modify the template to reflect the Thornton Law Firm's contingency-based practice. The Firm sincerely regrets the error.

Very Truly Yours,

A handwritten signature in blue ink, appearing to be 'M. Lesser', written over a horizontal line.

Michael A. Lesser, Esq.
Partner, Thornton Law Firm LLP